

AGENDA - COUNCIL MEETING - TUESDAY - APRIL 19, 2005 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2005-0344 to 2005-0364
ORDINANCES – 2005-0379 to 2005-0404
RESOLUTION – 2005-0006

2005-0343-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Sekula-Gibbs

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motions 2005-0344 to 2005-0346 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - APRIL 20, 2005 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 47

MISCELLANEOUS - NUMBERS 1 through 4

1. Motion 2005-0355

RECOMMENDATION from Director Affirmative Action and Contract Compliance to set affirmative action goal for airport concession contracts through September 30, 2005 in compliance with DBE Ordinances 89-226 and 99-893 and DOT/FAA requirements based upon 49CFR Parts 23 and 26

2. Motion 2005-0356

RECOMMENDATION from Fire Chief to approve the donation of Outdated/Surplus Firefighting Equipment to "Sister City" Guayaquil, Ecuador

MISCELLANEOUS - continued

3. Council Members Wiseman and Quan tagged

RECOMMENDATION from Acting Director Library Department for approval of Rules and Regulations for the use of the Houston Public Library System Libraries

4. Motion 2005-0347

RECOMMENDATION from Chief of Police to approve injury on duty leave extension for Officer **PHILLIP SHAFFER**

DAMAGES - NUMBER 5

5. Motion 2005-0348

RECOMMENDATION from City Attorney for settlement of lawsuit titled **MARIA LUCERO DICKENS** v. Boyd Crosby and the City of Houston; Cause No. 805,717, in the County Civil Court at Law Number Four of Harris County - \$27,000.00 - Property and Casualty Fund

PROPERTY - NUMBERS 6 through 11

6. Motion 2005-0349

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joe E. Evans of Evans Properties, on behalf of Capsimalis Enterprises, Ltd., (M. P. Capsimalis, general partner), for a ±3.2-foot building encroachment into Caroline Street, located at 1301 Leeland Street, adjacent to Lots 6 and 7, Block 331, South Side Buffalo Bayou, Parcel ENY5-02 - **DISTRICT I - ALVARADO**

7. Motion 2005-0350

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chris Patterson of Vernon G. Henry and Associates, Inc., on behalf of Sawyer Heights Village Ltd. [SHV-GP, LLC, a Texas limited liability company (S. Jay Williams, sole member), general partner], for abandonment and sale of Ovid Street, from Taylor Street west to its terminus, and a carryover credit for Sawyer Heights Village, Ltd. for the excess conveyance value to apply only toward the future abandonment and sale of street rights of way and/or easements, in exchange for the conveyance to the City of a 35-foot-wide hike and bike easement, ±161 square feet of right of way to widen Taylor Street, and ±4,478 square feet of right of way to widen Sawyer Street, located within Oak Terrace Addition, North Side Buffalo Bayou, John Austin Two League Grant, Parcels SY5-044, AY5-059A, AY5-059B and AY5-059C - **STAFF APPRAISERS - DISTRICT H - GARCIA**

8. Motion 2005-0351

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Chuck Davis of C. L. Davis & Company, on behalf of Memorial Hermann Hospital System (Dan S. Wilford, President), for abandonment and sale of a portion of a 10-foot-wide water line easement in exchange for the conveyance to the City of two 10-foot-wide water line easements and six fire hydrant easements, out of Memorial Southwest Hospital, Reserve A, Parcels SY5-053 and KY5-158A through H **STAFF APPRAISERS - DISTRICT F - KHAN**

9. Motion 2005-0357

RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners into the registry of the Court, pay all costs of Court in connection with eminent domain proceeding styled City of Houston v. Woodshire Building Co., a Dissolved Texas corporation, et al, Cause No. 761,125, for acquisition of Parcel VY0-33; for the **WILLOW MEADOW RELIEF SEWER PROJECT**; GFS/CIP R-0019-RE-1 - \$35,977.59 - **DISTRICT C - GOLDBERG**

PROPERTY - continued

10. Motion 2005-0352

RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY4-030, located at 2555 West Holcombe Boulevard, owned by Shaaray Properties, LLC, a Delaware limited liability company, Robert Rosen, President, for the **KIRBY DRIVE STORM SEWER PROJECT**, CIP M-0771-02-2 - **DISTRICT C - GOLDBERG**

11. Motion 2005-0353

RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-026, located at Edgebrook Drive at Theta Street, owned by Elizabeth Victor Nguyen, for **EDGEBROOK DRIVE PAVING PROJECT**, CIP N-1304-01-1 - \$26,617.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT E - WISEMAN**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 16

12. Motion 2005-0358

MD HELICOPTERS, INC for Four-Person Turbine Helicopter for Police Department \$1,335,043.00 - Grant Fund

13. Motion 2005-0359

NORITSU AMERICA CORPORATION for Photo Lab Equipment from the General Services Administration Contract for Law Enforcement Equipment and Supplies for Police Department \$186,065.00 - Grant Fund

14. Motion 2005-0360

ADVANCED ENVIRONMENTAL - \$1,518,750.00 and Emergency Purchase from **NORIT AMERICAS, INC** - \$32,327.10 for Chemical, Powdered Activated Carbon Contract for the Department of Public Works & Engineering - Enterprise Fund

15. Council Members Garcia, Holm, Wiseman, Khan and Sekula-Gibbs tagged

ORDINANCE appropriating \$7,620,000.00 out of Water & Sewer System Consolidated Construction Fund for Communications Security Equipment and Components for Various Departments, CIP S-0522-07-03

a. Council Members Garcia, Holm, Wiseman, Khan and Sekula-Gibbs tagged

NORTH AMERICAN CONTROLS CORPORATION (NACC) - \$4,955,000.00, **BL TECHNOLOGY, INC** - \$2,021,000.00, **ANIXTER, INC** (Bid No. 2) - \$169,000.00, **ACCESS & VIDEO INTEGRATION CORPORATION** - \$50,000.00, **TEXAS TECHNICAL SERVICES, INC** - \$780,000.00, **JOHNSON CONTROLS, INC** - \$1,325,000.00 and **HUTTON COMMUNICATIONS, INC** - \$3,000,000.00 for Communications Security Equipment and Components for Various Departments - \$12,300,000.00 - General, Grant, Enterprise and Health Special Revenue Funds

16. Motion 2005-0354

McNEILUS TRUCK & MANUFACTURING (Bid No. 15) for Special Truck & Body Replacement Parts Contract for Various Departments - \$935,217.00 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$916,512.66 - General Fund

RESOLUTIONS AND ORDINANCES - NUMBERS 17 through 47

17. Resolution 2005-0006

RESOLUTION designating a certain property located at 2017 Preston Avenue in the City of Houston as a Historic Landmark (Cheek-Neal Coffee Company Building) - **DISTRICT I - ALVARADO**

18. Ordinance 2005-0376

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide, prescriptive, sewer easement, located in Lots 3 and 4, Block 3, amending plat of Bradshaw Addition, Parcel SY3-031, vacating and abandoning said sewer easement to Kenneth A. Newberry, the abutting owner, in consideration of (i) his dedication of a 10-foot-wide, sanitary sewer easement, Parcel DY3-017, located in Lot 3, Block 3, amending plat of Bradshaw Addition, and (ii) his payment of \$2,700.00 and other consideration to the City - **DISTRICT H - GARCIA**

19. Ordinance 2005-0377

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of a 15-foot-wide easement, containing 7,356 square feet of land, more or less, and comprising the southern 7.5 feet of Lots 5 through 7 and the northern 7.5 feet of Lots 8 through 11 and part of Lot 12, Block 33, vacating and abandoning said tract, Parcel SY3-061, to Good Hope Missionary Baptist Church of Houston, the abutting owner, in consideration of (i) its dedication of a 15-foot-wide sanitary sewer easement containing 2,301 square feet of land, more or less, along the western line of Lot 12, Parcel DY3-022; both the abandonment and dedication parcels being out of Block 33, Riverside Terrace, Section 5, Houston, Harris County, Texas; and (ii) its payment of \$17,692.00 and other consideration to the City - **DISTRICT D - EDWARDS**

20. Ordinance 2005-0378

ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of an unnamed, 60-foot-wide Street, consisting of a 50-foot-wide, platted street right of way, located between Blocks B and C, and of a contiguous, 10-foot-wide, fee-owned strip of land out of Lot 23, Block B, Almeda Estates Subdivision; vacating and abandoning (i) Parcel Number SY4-011, a 30-foot-wide tract, containing 7,831 square feet of land, more or less, to Gamaliel Cuellar and Elsa Cuellar, the abutting owners, in consideration of their payment of \$5,090.00 and other consideration to the City, and (ii) Parcel Number SY4-042, a 30-foot-wide tract, containing 7,781 square feet of land, more or less, to Bernardo Daniel and Gamaliel Cuellar, the abutting owners, in consideration of their payment of \$5,058.00, and other consideration to the City - **DISTRICT D - EDWARDS**

21. Ordinance 2005-0384

ORDINANCE issuing permit to **BAGBY APARTMENTS, L.L.C.** for constructing, operating, maintaining, replacing and repairing aerial pedestrian walkways and subsurface utility ducts containing various water lines and electrical conduits within the 1500 block of Buckner Street, the 1500 block of Crosby Street, and the 700, 800 and 900 blocks of Cleveland Street, being public street rights-of-way within the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO**

22. Ordinance 2005-0379

ORDINANCE issuing permit to **HSC PIPELINE PARTNERSHIP, L.P.** to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICT E - WISEMAN**

RESOLUTIONS AND ORDINANCES - continued

23. Ordinance 2005-0385

ORDINANCE approving and authorizing distribution of the Preliminary Official Statement related to the City of Houston, Texas Public Improvement Refunding Bonds, Series 2005A, City of Houston, Texas Public Improvement Taxable Refunding Bonds, Series 2005B and City of Houston, Texas Certificates of Obligation, Series 2005C; approving or declaring other matters incidental to the issuance and sale of such obligations; making various findings and provisions related thereto; and declaring an emergency

24. Ordinance 2005-0386

ORDINANCE approving and authorizing a resolution and submission of a grant application, in substantially the form attached hereto, and further authorizing acceptance of Title V Funding through the Office of the Governor's Criminal Justice Division to Support the Mayor's After-School Achievement Program for Elementary School Students

25. Council Member Holm tagged

ORDINANCE approving and authorizing a resolution and submission of a grant application, in substantially the form attached hereto, and further authorizing acceptance of Title V Funding through the Office of the Governor's Criminal Justice Division to support the Mayor's After-School Achievement Program for Middle School Students

26. Ordinance 2005-0404

ORDINANCE amending Ordinance No. 2000-34 to ratify prior year payments made to support the **JOINT CITY-COUNTY COMMISSION ON CHILDREN**; providing a maximum contract amount \$91,316.00 - General Fund

27. Ordinance 2005-0387

ORDINANCE approving and authorizing amendment No. 1 to Lease Agreement between the City of Houston and **ELLINGTON PARTNERS, L.P.** at Ellington Field - **DISTRICT E - WISEMAN**

28. Ordinance 2005-0388

ORDINANCE approving and authorizing Automobile Rental Concession Agreements at William P. Hobby Airport by and between the City of Houston, Texas and **SOUTHWEST-TEX LEASING CO., INC d/b/a ADVANTAGE RENT-A-CAR; ALAMO RENTAL (US) INC; AVIS RENT A CAR SYSTEM, INC; BUDGET RENT A CAR SYSTEM, INC; DTG OPERATIONS, INC, d/b/a DOLLAR RENT A CAR; ENTERPRISE LEASING COMPANY OF HOUSTON; THE HERTZ CORPORATION; VANGUARD CAR RENTAL USA INC, d/b/a NATIONAL and DTG OPERATIONS, INC d/b/a THRIFTY CAR RENTAL - DISTRICT I - ALVARADO**

29. Ordinance 2005-0389

ORDINANCE approving and authorizing first amendment to Occupancy Agreement between **HOUSTON COUNCIL OF THE BLIND**, as occupant, and the City of Houston, Texas, as owner, for Space in the Metropolitan Multi-Service Center - **DISTRICT D - EDWARDS**

30. Ordinance 2005-0401

ORDINANCE approving and authorizing an agreement between the City of Houston and **HERMANN PARK CONSERVANCY (HPC)** for the Hermann Park Greenway Project - **DISTRICT D - EDWARDS**

31. Ordinance 2005-0402

ORDINANCE approving and authorizing a contract between the City and **HOUSTON DOWNTOWN MANAGEMENT DISTRICT** to provide federal funds for a Feasibility Study for an Intermodal Bus Facility \$150,000.00 - Grant Fund - **DISTRICTS H - GARCIA and I - ALVARADO**

RESOLUTIONS AND ORDINANCES - continued

32. Council Members Wiseman, Galloway, Green, Holm, Sekula-Gibbs, Garcia, Khan, Quan and Ellis tagged

ORDINANCE appropriating and allocating \$15,113,464.00 out of various funds; approving and authorizing contract with **SAP PUBLIC SERVICES, INC** for an Enterprise Resource Planning System; establishing a maximum contract amount; appropriating and allocating \$7,600,000.00 out of various funds and transferring such funds to the Special Non-Recurring Project Fund for expenses relating to the implementation of the Enterprise Resource Planning System

33. Council Member Wiseman tagged

ORDINANCE approving and authorizing sponsorship agreement between the City of Houston and **SEAFARER TOWNHOUSE OWNERS ASSOCIATION, INC** for Solid Waste Collection Services - 3 Months - \$2,304.00 - **DISTRICT E - WISEMAN**

34. Ordinance 2005-0380

ORDINANCE approving and authorizing sponsorship agreement between the City of Houston and **WHISPERWOOD TOWNHOMES ASSOCIATION, INC** for Solid Waste Collection Services - 3 Months - \$504.00 - **DISTRICT A - LAWRENCE**

35. Ordinance 2005-0403

ORDINANCE approving and authorizing amendments to the 44 contracts for engineering and testing services for (1) Public Works & Engineering and (2) the Houston Airport System (passed by Ordinance No 2002-293) with **ASSOCIATED TESTING LABORATORIES, INC, ATSER, L.P., AVILES ENGINEERING CORPORATION, BANDY AND ASSOCIATES, INC, COASTAL TESTING LABORATORIES, INC, DAE AND ASSOCIATES, LTD., EARTH ENGINEERING, INC, FUGRO CONSULTANTS, L.P. GEOSCIENCE ENGINEERING AND TESTING, INC, GEOTEST ENGINEERING, INC, GROUND TECHNOLOGY, INC, HBC ENGINEERING, HERCULES ENGINEERING AND TESTING SERVICES, INC., HTS, INC, HVJ ASSOCIATES, INC, PARADIGM CONSULTANTS, INC, PROFESSIONAL SERVICE INDUSTRIES, INC, QC LABORATORIES, INC, RABA-KISTNER CONSULTANTS, INC, STORK SOUTHWESTERN LABORATORIES, INC, TERRA-MAR, INC, TOLUNAY-WONG ENGINEERS, INC.,** for an additional year with two optional yearly renewals and to identify City Holidays

36. Ordinance 2005-0390

ORDINANCE appropriating \$268,840.00 out of Parks Consolidated Construction Fund; \$228,514.00 out of Police Consolidated Construction Fund; \$150,550.00 out of Public Library Consolidated Construction Fund; \$120,978.00 out of Fire Consolidated Construction Fund; \$75,878.00 out of Water & Sewer Consolidated Construction Fund; \$45,100.00 out of Solid Waste Consolidated Construction Fund; \$244,644.00 out of Public Health Consolidated Construction Fund; and \$331,245.00 out of General Improvements Consolidated Construction Fund; and approving and authorizing Project Management Services Contract between the City of Houston and **JACOBS FACILITIES, INC**, GFS D-0107-02-5, H-0066-02-5, L-0060-02-5, R-0542-02-5, C-0018-02-5, E-0143-02-5, F-504D-02-5 and G-0098-02-5 - \$53,768.00 Enterprise Fund

37. Ordinance 2005-0391

ORDINANCE approving and authorizing Professional Engineering Services Contract between the City of Houston and **OMEGA ENGINEERS, INC** for Negotiated Storm Drainage System Work Orders, GFS M-0126-S4-2 (SM5051); providing a maximum contract amount; providing funding for contingencies relating to construction of facilities financed by the Storm Water Fund \$330,000.00 Storm Water Fund

RESOLUTIONS AND ORDINANCES - continued

38. Ordinance 2005-0392

ORDINANCE appropriating \$583,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CLAUNCH & MILLER, INC** for Design of Neighborhood Street Reconstruction Project; GFS N-0378-01-2 (SB9209); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT C - GOLDBERG**

39. Ordinance 2005-0393

ORDINANCE appropriating \$649,275.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of Reconstruction of Hirsch Rd. from Kelley St. to East Crosstimbers Blvd., GFS N-0617-01-2 (SB9197); and Reconstruction of Parker Rd. from Airline Dr. to Hardy Toll Rd., GFS N-0620-01-2 (SB9198); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H - GARCIA**

40. Council Member Goldberg tagged

ORDINANCE appropriating \$721,384.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for Design of Hillcroft Reconstruction from Southwest Freeway (US59) to Bellaire Blvd., GFS N-0716-01-2 (SB9201); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT F - KHAN**

41. Ordinance 2005-0381

ORDINANCE appropriating \$545,445.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Design of Reconstruction of North Main Street from IH-45 to Airline Drive, GFS N-0744-01-2 (SB9207); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT H - GARCIA**

42. Ordinance 2005-0394

ORDINANCE appropriating \$849,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BINKLEY & BARFIELD, INC** for Design of Northgate, Tidwell Timbers, MUD #203 and Willow Run Wastewater Treatment Plants Renewal/Replacement, GFS R-0265-36-2 (WW4882); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**

43. Ordinance 2005-0395

ORDINANCE appropriating \$2,080,000.00 out of Fire Consolidated Construction Fund, awarding construction contract to **FROST CONSTRUCTORS, INC** for Construction of Val Jahnke Fire Training Academy Burn Building and Drill Tower Renovation, GFS C-0068-04-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; providing funding for engineering and testing services, Civic Art Program, construction management and contingencies relating to the construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT E - WISEMAN**

RESOLUTIONS AND ORDINANCES - continued

44. Ordinance 2005-0396

ORDINANCE awarding construction contract to **C. E. BARKER, LTD.**, by S. F. Barker Management, LLC for Construction of Water, Sanitary Sewer and Storm Drainage Systems to serve the Village at Glen Iris Subdivision, CIP S-0800-D7-03 and R-0800-D7-03 (DPC-070); approving and authorizing assignment of the construction contract to **HOUSTON HABITAT FOR HUMANITY, INC**; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines - **DISTRICT D - EDWARDS**

45. Ordinance 2005-0382

ORDINANCE awarding construction contract to **TOTAL SITE, INC** for Water, Sanitary Sewer & Storm Drainage Systems to serve Phase One of the Clearwood Landing Subdivision; approving and authorizing an assignment of the construction contract to **UNIVERSITY DEVELOPMENT, INC**; CIP S-0800-E8-03 & R-0800-E8-03 (DPC-072) - **DISTRICT E - WISEMAN**

46. Ordinance 2005-0383

ORDINANCE awarding construction contract to **TOTAL SITE, INC** for Water, Sanitary Sewer & Storm Drainage Systems to serve Phase Two of the Clearwood Landing Subdivision; approving and authorizing an assignment of the construction contract to **UNIVERSITY DEVELOPMENT, INC**; CIP S-0800-E9-03 & R-0800-E9-03 (DPC-073) - **DISTRICT E - WISEMAN**

47. Ordinance 2005-0397

ORDINANCE appropriating \$5,240,700.00 out of Street & Bridge Consolidated Construction Fund (Number N-0663-RE-1) and approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for appraisal fees, Title Policies/Services, Recording Fees, Court costs and Expert Witness Fees, for and in connection with, and finding a public necessity for the Capital Improvement Projects identified in the body of this ordinance

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 48 through 50

MISCELLANEOUS

48. Council Member Khan tagged

REVIEW of the record and make determination of the appeal filed by Bertha Vargas on behalf of Evangelina Galvan on the decision of the General Appeals Board for denial of a Manufactured Home Hardship Permit at 10603 Chickadee Lane, Houston, Texas - **DISTRICT E - WISEMAN**

PROPERTY

49. Motion 2005-0361

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Bob Collins of Andrews Kurth LLP, on behalf of Core Freeway Tech Center, Ltd. [Core Associates Six LLC (Richard K. Pipkin, Managing Director), General Partner], for abandonment and sale of Barker Springs Road, from South Creek Drive west to its terminus, and a 10-foot-wide utility easement in exchange for the conveyance to the City of a 10- to 15-foot wide water line easement, all located in Park 10, Section 2 and/or Freeway Tech Center, Parcels SY2-017A, SY2-017B and KY2-067 **(John Chambless and Sheila Stewart, appointed – Gary Meyer, alternate) - TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT A - LAWRENCE**

50. Motion 2005-0362

RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tim S. Henschel of Weisser Engineering Co., on behalf of Our Savior Lutheran Church and School (Dr. Laurence L. White, Pastor), for abandonment and sale of a portion of Bolivia Street, from ±485 feet south of De Soto Street to West Tidwell Road, in exchange for the conveyance to the City of a full-width utility easement, located in the Ellis Benson Survey, A-110, Parcels SY5-045 and VY5-009 **(George Wyche, Sr. and Travis Cooper, appointed – Jasmine Quinerly, alternate) - TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT B - GALLOWAY**

MATTERS HELD - NUMBERS 51 through 54

51. Ordinance 2005-0398

ORDINANCE appropriating \$54,766.50 out of Street & Bridge Consolidated Construction Fund No. 437, and approving and authorizing the execution of a Compromise and Settlement Agreement to settle a claim by **AUSTIN FILTER SYSTEMS, INC**
TAGGED BY COUNCIL MEMBERS QUAN, GALLOWAY and KHAN

a. Motion 2005-0363 – Adopt

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,185,005.81 and acceptance of work on contract with **AUSTIN FILTER SYSTEMS, INC** for Construction of Buffalo Bayou Trail North of Buffalo Bayou, GFS N-0420-28-3 18.59% over the original contract amount - **DISTRICT I - ALVARADO**
TAGGED BY COUNCIL MEMBERS KHAN, QUAN and GALLOWAY
These were Items 2 and 2A on Agenda of April 13, 2005

52. Motion 2005-0364 – Adopt

MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,334,085.80 and acceptance of work on contract with **TROY CONSTRUCTION, INC** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-P1-3 (4235-15) - 00.62% under the original contract amount
TAGGED BY COUNCIL MEMBER GALLOWAY
This was Item 3 on Agenda of April 13, 2005

53. Ordinance 2005-0399

ORDINANCE approving and authorizing option agreement for Purchase of Real Property at Ellington Field by and between the City of Houston, Texas and the Board of Regents of the **UNIVERSITY OF TEXAS SYSTEM - DISTRICT E - WISEMAN**
TAGGED BY COUNCIL MEMBER GOLDBERG
This was Item 12 on Agenda of April 13, 2005

MATTERS HELD – continued

54. Ordinance 2005-0400

ORDINANCE appropriating \$64,251.12 out of Series E Commercial Paper Metro Project Fund and approving and authorizing an amendment to increase the amount of contingency and approval of Change Order No. 3 on Construction Contract No. C55873 between the City of Houston and **TJ&T ENTERPRISES, INC** for Kingwood Drive Paving from Willow Terrace Drive to Hidden Lakes Drive (GFS N-0644G-01-3) - **DISTRICT E - WISEMAN**

TAGGED BY COUNCIL MEMBER QUAN

This was Item 18 on Agenda of April 13, 2005

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Wiseman first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

4/19/2005 – Council Member Edwards absent due to being ill

4/20/2005 – Council Member Edwards absent due to being ill